

It was alleged in substance that the article was misbranded in that the labels as above quoted were misleading and calculated to deceive the purchaser into the belief that the said article was pure mustard and in that the said article was a mixture [imitation] of, and was offered for sale under the distinctive name of, another article. Misbranding was alleged in substance for the further reason that the article was food in package form, and the quantity of the contents was not branded and conspicuously marked on the outside of the package.

On June 28, 1921, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9870. Adulteration of shell eggs. U. S. * * * v. Waite D. Law. Plea of guilty. Fine, \$10 and costs. (F. & D. No. 11033. I. S. No. 5807-r.)

On February 4, 1920, the United States attorney for the Western District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Waite D. Law, Springfield, Mo., alleging shipment by said defendant, on or about August 6, 1918, in violation of the Food and Drugs Act, from the State of Missouri into the State of Illinois, of a quantity of shell eggs which were adulterated.

Examination of 8 one-half cases showed 27.8 per cent of inedible eggs, consisting of black rots, mixed rots, spot rots, blood rings, and moldy eggs.

Adulteration of the article was alleged in the information for the reason that it consisted in part of a filthy, decomposed, and putrid animal substance.

On October 5, 1920, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$10 and costs.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9871. Misbranding of Nervosex tablets. U. S. * * * v. 5 Boxes of Nervosex Tablets. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 14194. Inv. No. 27002. S. No. C-2690.)

On January 17, 1921, the United States attorney for the Western District of Texas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 5 boxes of Nervosex tablets, at San Antonio, Tex., alleging that the article had been shipped by the United Laboratories, Inc., St. Louis, Mo., on or about June 26, 1920, and transported from the State of Missouri into the State of Texas, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it contained strychnine, phosphates, iron, zinc, and calcium compounds.

Misbranding of the article was alleged in substance in the libel for the reason that the following statements and claims appearing on the boxes containing the said article, regarding the curative and therapeutic effects thereof, "Nervosex Tablets. A compound of Nerve and Muscle Stimulants for Low Vitality, Lack of Energy, Sexual Weakness * * *," were false and fraudulent in that the said article contained no ingredient or combination of ingredients capable of producing the effects claimed.

On May 2, 1921, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*